

Yushchenko government dismissed. What next?

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April 26 brought «what the Bolsheviks have been talking about for so long», as a notorious classic fighter against capitalism once put it. «Bolsheviks», in this case have been the advocates of the same classic's ideology, represented by members of the Communist party faction in the Ukrainian parliament and, paradoxically, declaratively «democratic», «centrist» and «pro-market», but explicitly anti-government factions of the parliamentary majority. The majority itself, formed on the anti-Communist sweep in January 2000, simply ceased to exist in its original form and meaning after the no-confidence vote on April 26.

On April 26, the Yushchenko government was voted out of the office by 263 MPs. Yushchenko supporters' desperate efforts to convince each other and the public that «the Yushchenko government will survive» were futile. The joint meeting of President Leonid Kuchma and Prime Minister Yushchenko with leaders of parliamentary factions of the majority on the eve of the voting produced no desired result but only «conserved» the situation, as the faction leaders confirmed they were not prepared for compromise with the government.

The passions over the Yushchenko government were neither accidental nor unexpected. They followed a number of political mistakes made by the most recent Ukrainian government. While the government's economic performance was visibly successful, compared to those of previous governments, Yushchenko's strategists and tactical operators managed to ignore too many rules, informal but firm, of the Ukrainian political «dormitory», its political charters and hierarchy. Prime Minister Yushchenko failed to create and sustain an effective political coalition to back his efforts, which made it too hard for him to survive politically in the Ukrainian reality.

The fact that the issue of evaluation of the government's performance had an «exclusively political subtext» was publicly stressed by Yushchenko on April 12, 2001, when he commented on the collection of signatures in the parliament in support of a no-confidence vote. The day after the April 19 vote, when 283 MPs demanded to issue no-confidence vote to the Prime Minister, President Kuchma broke his remarkable silence on the matter by announcing that he had been «stricken by the huge number of votes cast by the parliament against the government», and adding metaphorically that «there's no smoke without fire» (Ukrainski Novyny, April 20, 2001).

One could argue that the «fire» of the current crisis in relations between the Cabinet and the parliament started at the beginning of this year from the de facto division of the parliamentary majority into the pro-governmental and pro-presidential parts, the former comprising both Rukh factions, the Reformy-Kongres, the Batkivshchyna, and part of the Green party, and the latter built of the factions of the SDPU(o), the Vidrodzhennya Rehioniv (later the Democratic Union), the Trudova Ukraina and the People's Democratic Party, later joined by the Rehiony Ukrainy and part of the Solidarnist.

Yet, for a while all participants of the process tried to «safe face» and diplomatically claimed that the majority existed and would exist in the future. Instead, the break up of the majority seemed inevitable due to the «tapegate» and the growing contradictions between Victor Yushchenko and representatives of some majority factions. The last stage of the majority break-up passed in debates about creation of a coalition government that might have involved a selection of «professionals» from the parliament. However, each of the parties had its own opinion about the terms of establishment of a new government, potential candidates for the positions and the rationale for the coalition building. Thus, several months of tension and debates over a coalition government resulted in a few separate monologues that resembled anything but a discussion between the government and the majority - or rather, some of its parts.

The next stage of the tension was the debate over a memorandum on cooperation and shared responsibility for implementation of the reform course between the Cabinet and the parliament. As each of the factions and groups sought to see its own interests reflected in the memorandum, no

dialogue occurred, but more severe conditions for «cooperation» emerged. In early April the Trudova Ukraina demanded that the majority should be re-registered. The demand was promptly backed by the SDPU(o), PDP and the Democratic Union, and the majority did re-register eagerly - which, in fact, did not help at all. The government's one-year immunity to dismissal by the parliament, granted as a result of the adoption of the government's Program of Action, expired on April 10. On that day, commenting on the forthcoming government's report to the parliament, First Vice Speaker Victor Medvedchuk claimed that no matter what the outcome of the report would be, by itself it might not cause the dismissal of the government as «the issue of no-confidence in the government may only be included to the resolution of the Verkhovna Rada following the results of debates about the responsibility of the Cabinet of Ministers» (Uriadovyi Kurrier, April 11, 2001). Medvedchuk also claimed he did not have any official information about any factions or groups in the parliament initiating collection of signatures in support of hearing the issue of responsibility of the government, while adding that «if somebody is collecting something, it may become public after April 11» (Ukraina Moloda, April 11, 2001).

Naturally, Victor Yushchenko could not be unaware of the fact that some MPs were lobbying the process of collecting signatures in favor of bringing the issue of responsibility of the government to the agenda. Finally, about 240 signatures were collected, well more than the required 226 minimum. However, Yushchenko failed to change the situation for his benefit. He believed he had every good reason to argue that «the government is a little island of stability in the state, the only branch of power that has not been dragged into scandals and that is not going to be dragged into them in the future», and stress that «we will not be lured into either of the sides that would have destructive impact on the government's work» (Ukraina Moloda, April 10, 2001). Yet, apparently, the Prime Minister did not expect the events to develop the way they did. Specifically, answering the question whether he thought his opponents seeing his dismissal would succeed, he said: «As the mind says, they will not achieve [it]; as the hard says, better if they succeed, it would be easier for me and for the whole Ukraine: (UNIAN, April 12, 2001). While he claimed he knew «about the existence of a special group that showers the government daily with dirt» (Ukraina Moloda, April 10, 2001), he never named any names of members of the «special group».

The «little island of stability» in the political sea was rapidly covered with high waves. Naturally, during the storm the «captain» had to make adequate decisions and chose proper actions. However, in this case the tactics, chosen by Yushchenko, proved not to be the best one. In an unstable country, where links between politics and corporate interests are too strong, it takes not just an economist (an accountant) but a politician to position oneself with regard other political forces, to form steady and numerous political coalitions. None of the above was properly done.

A number of symptomatic statements were made on April 12. SDPU(o) faction leader Oleksandr Zinchenko predicted that the parliament would make a no-confidence vote to the Yushchenko government and speculated that the next government will be a coalition one: «that must be the government that would prefer professional motivation, regardless of political affiliation of a specific minister» (Den, April 13, 2001).

President Kuchma at that point spoke about a possible «serious political crisis» that might follow the resignation of the Prime Minister, but also «accused the government of making «substantial mistakes» in relations with the parliament and stated that the no-confidence vote was «not excluded» unless those mistakes were corrected». President Kuchma was quoted as insisting on changes in the government's «cadres» and claiming that «the government consists of only one part of the parliamentary majority» and, in fact, worked «without the parliament's support» (Uriadovyi Kurrier, April 18, 2001).

The parliament's refusal to support the Prime Minister was manifested on the next day, when it adopted a resolution evaluating the Cabinet's performance within the Program of Action, Reforms for Well-being, as «unsatisfactory». The resolution was drafted by member of the Trudova Ukraina Oleksiy Kostusiev, and Communists Stanislav Hurenko and Volodymyr Matvieyev. The second paragraph of the resolution read that according to Article 87 of the Constitution of Ukraine the parliament had to debate the issue of responsibility of the Cabinet «in the order specified by paragraph 5.3. of the Procedures of the Verkhovna Rada of Ukraine» by April 26.

Noteworthy, the part of the resolution that stated that «economy of Ukraine has suffered degradation, the domestic market has been ruined, unemployment has increased, and the government is unable to

ensure a level of earnings that would guarantee the survival minimum» was withdrawn from the final version, for the communist rhetoric, should it have remained, would have backfired at Leonid Kuchma.

Of 352 MPs who took part in the voting, 283 supported the resolution, 65 voted against it, 4 abstained and 62 did not vote. The resolution to evaluate the performance of the Yushchenko government as «unsatisfactory» was adopted by the votes of 109 communists, 41 members of the Trudova Ukraina, 30 members of the SDPU(o), 18 members of the Democratic Union, 16 socialists, 14 representatives of the People's Democratic Party, 8 members of the Green party, 12 members of Mykola Azarov's newly-formed Rehiony Ukrainy, 14 members of the Yabluko faction, 2 members of the Solidarnist and 19 non-faction MPs. Factions of the Ukrainian People's Rukh, People's Rukh of Ukraine, the Reformy-Kongres and the Batkivshchyna were unanimous in voting against the resolution.

Hence, Yushchenko's support group in the parliament comprised only 65 MPs and some of those who chose not to vote. The result, among other things, may be regarded as an indicator of the government's failure to negotiate effectively with members of some «problem» groups in the parliament. The majority on that day looked particularly «situational»: it comprised members of the left-wing («red» and «rosy») Communist and Socialist parties, and centrist factions of the SDPU(o), the Trudova Ukraina, the Democratic Union and the Rehiony Ukrainy. The new majority was described by supporters of Prime Minister Yushchenko as «communo-oligarchic». Yushchenko announced after the voting that the developments in the parliament were «the bargaining of political course in order to unite the left and the financial-oligarchic circles» (UNIAN, April 19, 2001). Noteworthy, at the beginning of the politically stormy April 2001 Victor Yushchenko publicly announced: «We will welcome any parliamentary majority; the government sticks to the single position: working constructively for the next 11 months is possible only within the current configuration in the parliament. But in order to do that it is required to formalize the relations between the Cabinet of Ministers and the majority» (Uriadovyi Kurrier, April 6, 2001). No success in «formalizing the relations» was achieved, but «any majority» looked rather serious that time. Later on, leader of the Trudova Ukraina and ex-minister of economy in Yushchenko's government Serhiy Tihipko announced that «when the right factions start blocking the appointment of new leaders of the Cabinet, he will try to strike a deal with the most numerous of the parliamentary factions – the Communist party». «So far we have not had any serious talks with communists. We'll see...», Tihipko said (Ukrainski Novyny, April 20, 2001). Victor Yushchenko reacted rather emotionally: «If the point is the Ukrainian choice, then I will work with the devil himself...» A few minutes after the controversial resolution was approved, he told the press he personally felt that «the current Ukrainian power does not need this kind of government» (UNIAN, April 19, 2001).

The next day comments from the government's camp sounded more moderately. Head of the Prime Minister's group of advisors Valery Lytvytsky said he believed the Prime Minister would «accept» compromise where «his ideological paradigm as the Premier, as a Ukrainian, will not be violated». Lytvytsky made another symptomatic statement: «Apparently, I will not be mistaken if I say that the Premier is prepared to accept the majority's proposal about staff restoration [of the government] but the Premier is against doing that under any pressure» (Interfax-Ukraina, April 20, 2001). Meanwhile, Oleksandr Volkov (the Democratic Union) and Serhiy Tihipko (the Trudova Ukraina) announced that their factions «in no case» would consider the government's proposals for positions in the government (UNIAN, April 19, 2001). Serhiy Tihipko then added that the Cabinet's proposals of positions «do not play any role anymore», for the Trudova Ukraina had decided to vote for no-confidence in the government. Which, in fact, it did.

The day after the disastrous vote Leonid Kuchma announced he «regarded the dialogue between the parliament and the government as necessary» (UNIAN, April 20, 2001). Any words addressed to either of the parties «will be received as a method of pressure on somebody or a method of supporting somebody», Kuchma said, distancing himself from the process.

After the meeting with leaders of the majority factions on April 25, President Kuchma, as his spokesman Oleksandr Martynenko reported, spoke in favor of preserving political stability in Ukraine and maintaining the parliamentary majority, created for the purpose of implementing the President's electoral agenda. However, given the later voting results, no declared compromise was found. The «consensus» was to be based on a deal between the Prime Minister and representatives of the financial and business elites in the parliament about positions in the government, but Yushchenko refused to strike a deal at that point. Instead, the government's proposals were confined to moratorium «on all

political actions of all political forces that may destabilize the political situation» (i.e., signaled readiness of part of the opposition to stop any anti-Kuchma actions). Another proposal made by the government was to return to the issue of «formalizing relations between the government and the parliament, i.e., continuing discussions about signing a political agreement about cooperation between the Cabinet of Ministers and the Verkhovna Rada.» However, those who voted Yushchenko out the next day were not satisfied with proposed ways and means of «harmonizing relations» between the government and the parliament. Both Yushchenko's rivals in the parliament and his supporters - chose to stick to their views. On April 25 the SDPU(o) and the Yabluko factions stressed they had no intention to drop their demand of the dismissal of the government, while the Batkivshchyna leader Oleksandr Turchynov argued publicly that the President's and the Prime Minister's meeting with the faction leaders had been nothing but «a butaforial discussion, and the President simply wanted to show that he cared about the situation» (UNIAN, April 25, 2001). Yet, the situation is far more complicated that it tends to be interpreted by parties of the conflict between the parliament and the government. In this case the no-confidence vote by the parliament resulted from multiple components. Those included potential geopolitical causes and consequences, and private business interests of some regional industrialist groups, potential competition in the forthcoming parliamentary election and emotions of personal relations between key players of the conflict.

As a result, Ukraine's ninth government since 1991 was the first one to be dismissed by the parliament's vote. The draft resolution «On No Confidence in the Cabinet of Ministers of Ukraine», proposed by members of the Communist party, was supported by votes of 263 MPs, with 69 MPs voting against it, 24 abstentions and 53 MPs who were physically present at the session but did not vote. The no-confidence vote was made by factions of the SDPU(o), the Democratic Union, the Trudova Ukraina, the Communists, the PDP, the Yabluko, the Rehiony Ukrainy and the Greens. The resolution was not supported by the Ukrainian People's Rukh, the People's Rukh of Ukraine, the Solidarity, the Batkivshchyna, the Reformy-Kongres. Most of Ukrainian Socialists refrained from voting to demonstrate they supported neither of the parties.

The parliament's resolution «On No Confidence in the Cabinet of Ministers of Ukraine» explicitly stated that the government failed to fulfil its key functions and «did not provide solid guarantees of citizens' constitutional rights and freedoms». According to the authors of the document, «activities of the Cabinet of Ministers led by V. Yushchenko has been based on exaggerated calculations on foreign aid. This has created conditions for further fostering Ukraine's semi-colonial status, [and] final loss of its economic independence and state sovereignty.» The draft resolution proposed: «taking into account the above, and guided by Articles 85, 87, 105, 106, 114 and 115 of the Constitution of Ukraine, the Verkhovna Rada resolves: 1. Express no confidence in the Cabinet of Ministers of Ukraine. 2. Propose to President L.D. Kuchma to nominate to the Verkhovna Rada of Ukraine a candidate for prime minister in order to solve the issue of granting agreement by the Verkhovna Rada of Ukraine for the appointment to that position.» After the no-confidence vote the right-wing factions of the parliament, as well as the Batkivshchyna and the Sobor, announced themselves to be in opposition «to the communo-oligarchic majority of the parliament led by President of Ukraine Leonid Kuchma» (UNIAN, April 26, 2001).

Commenting on the parliament's decision regarding Yushchenko, Leonid Kuchma announced he did not like it, but «the decision has occurred» (Interfax-Ukraine, April 26, 2001). In fact, the parliament's decision may have a negative impact on Kuchma's own position in his relations with major Ukrainian financial-industrial groups. Victor Yushchenko played a role of a certain political counterweight to the increasing influence of major interest groups on President Kuchma. The resignation is likely to disrupt the balance of influence of political forces on the general developments in the state, which is particularly risky shortly before the 2002 parliamentary and the 2004 presidential elections.

Another noteworthy voting that took place on April 26 was on the draft resolution «On Initiating the Issue of Removing President of Ukraine Kuchma Leonid Danylovych from His Position by means of Impeachment and Establishment of a Special Ad Hoc Investigative Commission», proposed by Hryhory Omelchenko and Anatoly Yermak. Although the resolution was not approved, it was supported by 209 MPs - a rapid increase of the opposition forces in the parliament since September 14, 2000, when a similar proposal was supported by 114 votes. Yushchenko's dismissal could only add supporters to the opposition.

One of the immediate consequences of the no-confidence vote was that the parliamentary majority in

its traditional form simply ceased to exist, as the voting results proved. The opinion is shared at both sides of the «barricades» of the former majority. «No parliamentary majority will be created before March 2002» (UNIAN, April 27, 2001), said SDPU(o) faction leader Oleksandr Zinchenko; and his opponent, Rukh leader Yuri Kostenko agreed that «the non-left parliamentary majority in the 3rd Verkhovna Rada will not be restored», as «oligarchs have buried the non-left parliamentary majority that has worked within the recent year» (UNIAN, April 27, 2001).

Thus, the configuration of forces in the Ukrainian parliament has returned to the 1998-1999 pattern. Obviously, Ukrainian communists who have been playing in an alliance with anti-governmental forces simply will not vote for pro-market bills. The tactical majority will be unable, for instance, to adopt the Land Code and a number of other key laws, which may result in more warning criticism from the Council of Europe and other intergovernmental institutions. Apparently, «awareness of real circumstances and real threat of exclusion of Ukraine from the Parliamentary Assembly of the Council of Europe will soon force deputies to restore the former parliamentary majority» (UNIAN, April 27, 2001), argues chairman of the parliamentary committee for fighting organized crime and corruption Yuri Karmazin. There are also other law-making issues linked to the fact that the term of application of the Transitional Provisions of the Constitution of Ukraine expires on April 28, 2001. Hence, the parliament will have to adopt laws on the judiciary reform, amend laws on the procurature, the police, the search and investigation activities, the status of judges and the judiciary. The general forecast for the parliament's ability to function is rather gloomy: «Probably, we are doomed to exist, until the end of this parliament, in the mode of an unsteady part of the assembly,» said Oleksandr Zinchenko.

In the near future the key challenge to the parliament in the context of the collapse of the non-left majority and search for new situational alliances will be not as much the debates over new bills but the process of approving a new Prime Minister. By law, a candidate is to be proposed by the president. Nowadays Leonid Kuchma argues there is no need to rush, and the selection of the chief executive official should be based on serious consultations, otherwise the whole matter will deteriorate «into a big political game» (Interfax-Ukrainy, April 26, 2001). Meanwhile, a few days before the vote, on April 23, Leonid Kuchma, who was visiting Lithuania, announced he was prepared to help the dialogue between the government and the parliament of Ukraine in order to find a compromise. Apparently, the statement was prompted by President Kuchma's discussions with his counterparts Alexander Kwasniewski (who today acts as a «representative» of Europe in dealing with Ukraine), Valdas Adamkus and Gerhard Schroeder. Before that Leonid Kuchma publicly maintained silent political neutrality regarding the growing tensions between the government and the parliament. The statement, apparently, was addressed to the West, explicitly dissatisfied with Yushchenko's dismissal, seen as a reformer and clearly pro-western politician, whose resignation will inevitably result in an increase of Russia's influence on economic and political processes in Ukraine. In its turn, Russia's increased influence will gradually transform the 49-million Ukraine into Russia's «borderland» and give a boost to Russia's plans to restore its influence in the post-Soviet area. In this context the Communists' victory in Moldova, followed with pledges of friendship with Russia, the pro-Russian regime in Belarus and developments in Ukraine are seen in the West as acts of the same geopolitical play. In Ukraine perceptions of those processes are magnified by Kuchma-Putin agreements in Dnipropetrovsk in February 2001 envisaging, among other things, enhanced cooperation in the military-industrial sphere. Given the geopolitical «chain reaction», the current processes in Ukraine are more complicated than they appear, and further developments largely depend on who succeeds Yushchenko as the head of the Ukrainian government.

Apparently, Ukraine is facing a «Premieriade» that may be similar to the battles and bargains over the election of the Speaker in 1998. In order to please everyone, the candidate for the top seat in the government should be remarkably acceptable for the broadest variety of political tastes and interests. The new government, as well, should bear elements of a coalition that would take into account interests of all parliamentary factions, left-wingers included. «The next government must consider interests of all factions, including the left ones,» stated leader of the Democratic Union Oleksandr Volkov. «A part in the government should be proposed to them too, let them refuse then, but still they must take part in the process of formation of the government,» Volkov insisted (UNIAN, April 26, 2001).

By now a long «queue» of aspirants for the top chair in the government has emerged. Amongst the most frequently named are the names of head of the State Taxation Administration and leader of the Party of Regions of Ukraine Mykola Azarov; Leonid Kuchma's colleague and supporter since the Yuzhmash times, former Secretary of the National Security and Defense Council and national security

adviser to the President, currently head of the Ukrainian state arms trade agency Volodymyr Horbulin; ex-minister of economy in the Yushchenko government, leader of the Trudova Ukraina Serhiy Tihipko, MP. Other possible candidates include Secretary of the National Security and Defense Council Yevhen Marchuk, Vice Prime Minister for Fuel and Energy Oleg Dubyna, and mayor of Kyiv Oleksandr Omelchenko. The right-winger's announced withdrawal from the majority to the opposition and their refusal (at least, for now) to play others' political games means that the new prime minister, no matter who he is, may be approved by the parliament only if supported by the Communists. Meanwhile, the Communist faction also has its ideas about a candidate for the leadership of the government and some other «warm» places in the Cabinet. Communist leader Petro Symonenko who has recently come back from a visit to Moldova, keeps hinting that there are only three communists in the government of that newly-communist state. According to Symonenko, that should be seen as an example that communists are able and willing to involve professionals in the government's work. Such claims may be interpreted as prompts for possible deals with the non-communist parliamentary majority. So far the Communist party has not named its candidate for the top seat of the government, but, apparently, it is former first secretary of the Central Committee of the Communist party of the Soviet Ukraine Stanislav Hurenko. While it is still unlikely that a communist candidate may be approved by the parliament for the position of the prime minister, it is hard to disagree with the opinion, expressed by members of the Reformy-Kongres Ihor Ostash: a new prime minister will not be able to «follow Yushchenko's way, for in order to be approved, he must obtain support of the CPU [i.e., the Communist party] that currently holds the «control package» of votes in the parliament» (UNIAN, April 26, 2001).

Commenting on the matter, Leonid Kuchma announced there was a need «to arrive to a mutually acceptable candidate whose key qualities must be high professionalism, competence, state scope of thinking, actions and responsibility», and warned that «sound compromise, the search for mutually acceptable solutions during the formation of the Cabinet of Ministers must not transform into trade» (UNIAN, April 28, 2001). Obviously, it is very hard to comply with all these requirements in the current political realities. Therefore, it is likely that for the period until after the parliamentary election the Cabinet will be chaired by an acting prime minister, not approved by the Verkhovna Rada. For now such an option suits key players of the political elite, but threatens to ruin the remainders of balance in relations between the government, the parliament and the president.

Almost immediately after the no-confidence vote Victor Yushchenko announced he would never be an acting prime minister. «Today we have lost the premier - the best premier, but [we have] received the leader of the nation,» - the statement made by Ihor Yukhnovsky, MP, at the parliamentary session on behalf of the both Rukh factions, the Reformy-Kongres, the Batkivshchyna and the Sobor. Victor Yushchenko also announced he would not leave «big politics» but would take part in the 2002 election. «I am leaving in order to return,» the newly-ousted premier said. Yet, it is still unclear what forces Yushchenko will join to come to power. Support for Yushchenko has been repeatedly declared by the National Salvation Forum, but the ousted prime minister may choose not to rely on it entirely. There is a better chance for consolidation of the right-wing Ukrainian parties - Reforms and Order, Congress of Ukrainian Nationalists, both of the Rukhs, as well as with the Sobor. While such an alliance could be an option for Yushchenko, it may cost him a fair share of support in Eastern Ukraine.

No other ousted Ukrainian politician has experienced that overwhelming national affection. The no-confidence vote in the parliament was immediately condemned by a 20,000-strong rally of Yushchenko's supporters who had gathered outside the house of parliament. Yet, speaking about Yushchenko's political prospects, one has to consider time before the parliamentary elections scheduled to take place in March 2002. In the current political realities a Ukrainian political party or individual politician has to have access to substantial financial and administrative resources and support of the media. While Yushchenko is doing relatively well for financial and administrative resources, gaining media attention, and, more importantly, support, will be more problematic after Yushchenko stops officially appearing daily on the TV screen and in newspapers as the head of the government.

Hence, political and economic consequences of resignation of the Yushchenko government are yet to be seen. Both domestically and internationally this resignation has caused mixed reactions and interests. Possible options are likely to be seen shortly, during the «Premieriade» that will serve as an indicator of the future Ukrainian power elite will choose and impose on the society for the years to come.